REMARKS

Further and favorable reconsideration is respectfully requested in view of the foregoing amendments and following remarks.

Claims 4 and 10 have been amended to clarify that one of R^1, R^2 or R^3 is a bond. Support for this limitation is found on page 9, lines 18-22 of Applicants' specification, which states that L stands for a linkage to the particle surface by covalent bonding via surface –OH group formed by hydroxylation. Thus, no new matter has been added to the application by this amendment.

The rejection of claims 1-4 and 6-18 as being indefinite under 35 U.S.C. § 112, second paragraph is respectfully traversed.

The Examiner states that claims 1 and 10 have two definitions for X, and thus the claims are unclear. Specifically, the Examiner states that "the functional group or functional moiety capable of binding directly to a biosensor chip surface" is different from the "residue of forming a biological specific binding pair", and thus the claims are unclear and confusing.

Applicants respectfully disagree with the Examiner's position. Specifically, the Examiner is directed to page 10, lines 13-19 of Applicants' specification, which states:

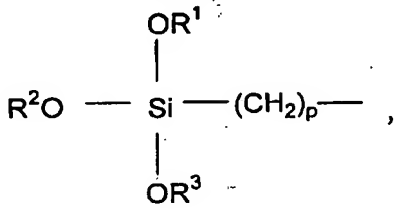
> X represents a functional group or functional moiety which is capable of linking to the biosensor chip surface. Said functional group or functional moiety may be selected from those expressed by the above formulae (i), (ii) and (iii) which are given as examples of L, or they may be residues of one of the constituents forming aforesaid biological specific binding pair, or residues of proteins which do not affect intended bioassays.

It is clear from this passage that the clause "wherein X is a residue of a member forming a biological specific binding pair" in claim 1 [and the similar clause in claim 10] is consistent with the definition of X as a functional group or functional moiety capable of binding directly to a biosensor chip surface. The "wherein" clause further limits the definition of X. Therefore, Applicants respectfully assert that the claims are not vague or indefinite, and the rejection regarding claims 1 and 10 should be withdrawn.

Additionally, the Examiner states that with regard to claim 4, the groups selected for "L" are disclosed as terminal groups, while "L" is not terminal group. However, page 9, lines 18-22 of Applicants' specification states:

> L stands for a linkage to said particle surface, via a group or moiety which is capable of linking to said surface (e.g., by chemical binding or chemical absorption, or covalent bonding via surface –OH group formed by hydroxyolation where the particle is made of metal oxide), . . .

(Emphasis added.) When L is bound to "PCL" by chemical adsorption, L can be a terminal group. However, when L has the following formula:



then L cannot be a terminal group. (See "... or covalent bonding ..." in the above passage from the specification. Accordingly, as discussed above, Applicants have amended claim 4 to clarify that one of R^1, R^2 or R^3 is a bond. Thus, the rejection with regards to claim 4 has been overcome and should be withdrawn.

Applicants appreciate the indication that claims 1 and 10, and dependent claims 2-4, 6-9 and 11-18 would be allowable if the rejections under 35 U.S.C. § 112, second paragraph were overcome. In accordance with the discussions set forth above, it is submitted that each of the grounds of rejection set forth by the Examiner has been overcome, and accordingly the application is in condition for allowance. Such allowance is solicited.

If, after reviewing this Amendment, the Examiner feels there are any issues remaining which must be resolved before the application can be passed to issue, the Examiner is respectfully requested to contact the undersigned by telephone in order to resolve such issues.

Respectfully submitted,

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